

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

LORI BOND,

Plaintiff,

v.

No. 3:20-cv-01943-SB

**SHRINERS HOSPITALS FOR
CHILDREN,**

OPINION AND ORDER

Defendant.

MOSMAN, J.,

On March 1, 2021, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (F. & R.) [ECF 16]. Judge Beckerman recommended that I deny Plaintiff Lori Bond's Motion to Remand and Motion to Amend Complaint [ECF 6] and grant Defendant Shriners Hospitals for Children's Motion to Dismiss [ECF 4]. Plaintiff filed objections [ECF 18] and Defendant filed a response [ECF 19]. Upon review, I agree with Judge Beckerman and dismiss this case without prejudice.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or

recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F. & R. to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F. & R. depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F. & R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge Beckerman's findings and recommendation and I ADOPT the F. & R. [ECF 16]. I DENY Plaintiff's Motion to Remand and Motion to Amend Complaint [ECF 6] and GRANT Defendant's Motion to Dismiss [ECF 4]. This case is dismissed without prejudice.

IT IS SO ORDERED.

DATED this 9 day of April, 2021.

Michael W. Mosman
MICHAEL W. MOSMAN
United States District Judge